

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13483 of 2004

Between:

Sayapuru Raveendra, S/o.Ramanadham Naidu,
Sydapuram Mandal,Nellore Dist.

..... PETITIONER

AND

1. The Joint Collector, Nellore.
2. The Revenue Divisional officer, Nellore District.
3. The Mandal Revenue officer, Sydapuram Mandal,

Nellore Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or orders, direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in issuing impugned proceedings in R.C.C.2483/2004 dated 26-07-2004 issued by the 2nd respondent as ex-facie, illegal, arbitrary, malafide, contrary to clause 4 of A.P.State Public Distribution system (Control order) 2001 and violation of principles of natural justice and consequentially set aside the same in the interest of justice.

For the Petitioner: MR.A.CHANDRAIH NAIDU, ADVOCATE

For the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.13483 OF 2004

ORAL ORDER:

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The petitioner is a Fair Price Shop dealer of Ramasagaram-I village. His authorization has been suspended pending enquiry vide proceedings of the Revenue Divisional Officer, Gudur, Nellore District dated 26.07.2004. The petitioner states that he has already preferred an appeal before the Joint Collector, Nellore on 29.07.2004 along with an application seeking stay of the proceedings of the Revenue Divisional Officer, Gudur.

Though the petitioner has raised several grounds and contended that the impugned order of suspension dated 26.07.2004 is arbitrary and illegal, I am not inclined to go into the said issues since the statutory appeal filed before the joint Collector is pending.

However, in view of the apprehension expressed by the petitioner that the Joint Collector, Nellore, 1st respondent herein, is not likely to take up his application for stay, I am of the view that the interest of justice would be met if the writ petition is disposed of with a direction to the 1st respondent to consider the application for stay filed by the petitioner in his appeal against the order of the 2nd respondent – Revenue Divisional Officer, Gudur, Nellore District, dated 26-07-2004 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably, within a period of two weeks from the date of receipt of this order. Till the said application is disposed of, the impugned order of suspension dated 26-07-2004 shall not be given effect to.

30th July, 2004.

To

1. The Joint Collector, Nellore.
2. The Revenue Divisional officer, Nellore District.
3. The Mandal Revenue officer, Sydapuram Mandal,

Nellore Dist.

4. Two CCs to the G.P. for Civil Supplies, High Court Buildings,
Hyderabad. (OUT),

5. Two CD copies

*Ksn/Gbs